

Notice of Allowability

Application No.

09/509,308

Applicant(s)

SUH ET AL.

Examiner

Leigh McKane

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 3 March 2004 and Interview of 31 March 2004.
 2. ☒ The allowed claim(s) is/are 1-7 and 17-20.
 3. ☐ The drawings filed on _____ are accepted by the Examiner.
 4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 091103
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Leigh McKane
Leigh McKane
Primary Examiner
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EXAMINER'S AMENDMENT

1. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 31 March 2004, Mr. Rabin requested an extension of time for ONE MONTH(S) and authorized the Director to charge Deposit Account No. 06-1050 the required fee of \$110 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1:

In line 13, "(x) L-asorbic acid," should be --(x) L-ascorbic acid--.

In line 20, "(xviii) a compound of formula I" should be --(xvii) a compound of formula I--.

In line 22, "(xix) the compound of formula II" should be --(xviii) the compound of formula II--.

In line 24, "(xx) a polymeric dialdehyde containing two or more of a recurring unit of the formula III" should be --(xix) a polymeric dialdehyde containing two or more of a recurring unit of the formula III--.

In line 26, "(xxi) urea," should be --(xx) urea--.

In line 27, "(xxii) cyclodextrin" should be --(xxi) cyclodextrin--.

In line 28, "(xxiii) hydrogenated hop oil," should be --(xxii) hydrogenated hop oil--.

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In line 29, "xxiv) polyvinylpyrrolidone," should be --xxiii) polyvinylpyrrolidone--.

In line 30, "xxv) N-methylpyrrolidone," should be --xxiv) N-methylpyrrolidone--.

In line 31, "xxvi) the sodium salt of anthraquinone, and" should be --xxv) the sodium salt of anthraquinone, and--.

In line 32, "xxvii) potassium thioglycolate" should be --xxvi) potassium thioglycolate--.

In claim 2:

In line 13, "(x) L-asorbic acid," should be --(x) L-ascorbic acid--.

In line 20, "xviii) a compound of formula I" should be --xvii) a compound of formula I--.

In line 22, "(xix) the compound of formula II" should be --xviii) the compound of formula II--.

In line 24, "(xx) a polymeric dialdehyde containing two or more of a recurring unit of the formula III" should be --xix) a polymeric dialdehyde containing two or more of a recurring unit of the formula III--.

In line 26, "xxi) urea," should be --xx) urea,--.

In line 27, "xxii) cyclodextrin" should be --xxi) cyclodextrin,--.

In line 28, "xxiii) hydrogenated hop oil," should be --xxii) hydrogenated hop oil--.

In line 29, "xxiv) polyvinylpyrrolidone," should be --xxiii) polyvinylpyrrolidone--.

In line 30, "xxv) N-methylpyrrolidone," should be --xxiv) N-methylpyrrolidone--.

In line 31, "xxvi) the sodium salt of anthraquinone, and" should be --xxv) the sodium salt of anthraquinone, and--.

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In claim 3:

In line 13, "(x) L-asorbic acid," should be --(x) L-ascorbic acid--.

In line 20, "(xviii) a compound of formula I" should be --(xvii) a compound of formula I--.

In line 22, "(xix) the compound of formula II" should be --(xviii) the compound of formula II--.

In line 24, "(xx) a polymeric dialdehyde containing two or more of a recurring unit of the formula III" should be --(xix) a polymeric dialdehyde containing two or more of a recurring unit of the formula III--.

In line 26, "(xxvii) potassium thioglycolate" should be --(xx) potassium thioglycolate--.

In claim 4:

In line 15, "(x) L-asorbic acid," should be --(x) L-ascorbic acid--.

In line 22, delete "(xvii) 6-isopropyl-m-cresol,".

In line 23, "(xviii) a compound of formula I" should be --(xvii) a compound of formula I--.

In line 25, "(xix) the compound of formula II" should be --(xviii) the compound of formula II--.

In line 27, "(xx) a polymeric dialdehyde containing two or more of a recurring unit of the formula III" should be --(xix) a polymeric dialdehyde containing two or more of a recurring unit of the formula III--.

In line 28, "(xxi) urea," should be --(xx) urea--.

In line 29, "(xxii) cyclodextrin" should be --(xxi) cyclodextrin--.

In line 30, "(xxiii) hydrogenated hop oil," should be --(xxii) hydrogenated hop oil--.

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In line 31, "xxiv) polyvinylpyrrolidone," should be --xxiii) polyvinylpyrrolidone--.

In line 32, "xxv) N-methylpyrrolidone," should be --xxiv) N-methylpyrrolidone--.

In line 33, "xxvi) the sodium salt of anthraquinone, and" should be --xxv) the sodium salt of anthraquinone, and--.

In line 34, "xxvii) potassium thioglycolate" should be --xxvi) potassium thioglycolate--.

In claim 5:

In line 12, "(x) L-asorbic acid," should be --(x) L-ascorbic acid--.

In line 19, delete "(xvii) 6-isopropyl-m-cresol,".

In line 20, "(xviii) a compound of formula I" should be --(xvii) a compound of formula I--.

In line 22, "(xix) the compound of formula II" should be --(xviii) the compound of formula II--.

In line 24, "(xx) a polymeric dialdehyde containing two or more of a recurring unit of the formula III" should be --(xix) a polymeric dialdehyde containing two or more of a recurring unit of the formula III--.

In line 25, "(xxi) urea," should be --(xx) urea,--.

In line 26, "(xxii) cyclodextrin" should be --(xxi) cyclodextrin,--.

In line 27, "(xxiii) hydrogenated hop oil," should be --(xxii) hydrogenated hop oil--.

In line 28, "(xxiv) polyvinylpyrrolidone," should be --(xxiii) polyvinylpyrrolidone--.

In line 29, "(xxv) N-methylpyrrolidone," should be --(xxiv) N-methylpyrrolidone--.

In line 30, "(xxvi) the sodium salt of anthraquinone, and" should be --(xxv) the sodium salt of anthraquinone, and--.

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In claim 6:

In line 12, “x) L-asorbic acid,” should be --x) L-ascorbic acid--.

In line 19, delete “xvii) 6-isopropyl-m-cresol,”.

In line 20, “xviii) a compound of formula I” should be --xvii) a compound of formula I--.

In line 22, “xix) the compound of formula II” should be --xviii) the compound of formula II--.

In line 24, “xx) a polymeric dialdehyde containing two or more of a recurring unit of the formula III” should be --xix) a polymeric dialdehyde containing two or more of a recurring unit of the formula III--.

In line 25, “xxvii) potassium thioglycolate” should be --xx) potassium thioglycolate--.

In claim 7:

In line 8, “xxvi) the sodium salt of anthraquinone,” should be --xxv) the sodium salt of anthraquinone,--.

In line 9, “xxviii) a compound of formula I, and” should be --xvii) a compound of formula I, and--.

In line 10, “xix) the compound of formula II” should be --xviii) the compound of formula II--.

In claim 18:

In line 3, delete the Roman numeral “(xvii)”.

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In claim 19:

In line 2, change "(xviii)" to --(xvii)--.

Conclusion


2. It is noted that Mr. Rabin agreed to the cancellation of the term "6-isopropyl-m-cresol" from some of the claims without prejudice to filing a divisional application directed to that particular embodiment.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leigh McKane whose telephone number is 571-272-1275. The examiner can normally be reached on Monday-Wednesday (7:15 am-4:45 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 571-272-1275. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leigh McKane
Primary Examiner
Art Unit 1744

elm
5 April 2004